UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

VLADIMIR LEMITE,

Plaintiff,

-V-

9:15-cv-1230 (DNH/DJS)

ROBERT SEHLMEYER, Correction Officer,

Defendant.

APPEARANCES:

VLADIMIR LEMITE
Plaintiff pro se
Last Known Address:
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Mount Vernon, New York 10550

HON. ERIC T. SCHNEIDERMAN
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Albany, NY 12224

CHRISTOPHER J. HUMMEL, ESQ. Ass't Attorney General

DAVID N. HURD United States District Judge

DECISION and ORDER

Pro se plaintiff Vladimir Lemite brought this action pursuant to 42 U.S.C. § 1983.

On June 13, 2017, the Honorable Daniel J. Stewart, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). The Report-Recommendation sent to plaintiff by certified mail was returned to the court as undeliverable. No objections to the Report-Recommendation have been received.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. <u>See</u> 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Plaintiff's complaint is DISMISSED without prejudice.

The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.

United States District Judge

Dated: July 5, 2017

Utica, New York.